

REMARKS

Claims 1-21 and 23-30 are all the claims pending in the application.

The Advisory Action indicates that the Response filed October 2, 2003 was not persuasive. Notwithstanding the Examiner's assertion, the record now includes an irregularity as to the status of the claims. The Advisory states the status of the claims as follows.

Claims allowed: 5, 7-16 and 18-21

Claims objected to: 24

Claims rejected: 1-4, 6, 17, 22 and 23

As a preliminary matter, the status of the claims in the Advisory Action differs from that indicated in the final Office Action, but there is no apparent reason for the change. As noted in the final Office Action, claims 5, 7-21, and 24 are allowed, and claims 1-4, 6, 23, and 25-30 are rejected. Applicant requests clarification from the Examiner on this discrepancy.

In the Response to Arguments of the Advisory Action, the Examiner provides a detailed reply to the arguments in the October 2 Response. Here, the Examiner takes the position that because the claims do not require the "normalization processing condition" to directly provide a normalization parameter without additional processing, the iridial granule of Yamakita et al. corresponds to the normalization processing condition.

However, the Response filed October 2 addressed this point at page 3:

Furthermore, even assuming arguendo that the Examiner is correct that Yamakita discloses “providing a normalization processing condition,” claims 1-4, 6, and 23 do not recite “providing a normalization processing condition.” Instead, claims 1-4 and 6 recite a reading side normalization processing condition determining means for determining a normalization processing condition. Analogously, claim 23 recites an image reading apparatus comprising reading means for reading an image to obtain image data representing the image and normalization processing condition determining means for determining a normalization processing condition for the image read by the reading means. Even the Examiner’s own words implicitly indicate that the reference fails to disclose these features. That is, the Examiner asserts that an iridial granule is extracted on the reading side, providing a normalization processing condition used in the subsequent processing. Thus, Applicants submit that Yamakita does not disclose these features of the claims.

The Examiner did not address this point in the Advisory Action.

With respect to the Examiner’s argument about the condition changing means (see 3rd and 4th full paragraphs on page 3 of the advisory action), the portion of the reference mentioned by the Examiner does not appear to disclose that which is asserted by the Examiner. In particular, the cited excerpts of the reference seem to disclose using the iridial granule data in the process steps, but the iridial granule data itself does not appear to be changed.

RESPONSE UNDER 37 C.F.R. § 1.114
U.S. Appln. No. 09/281,969

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

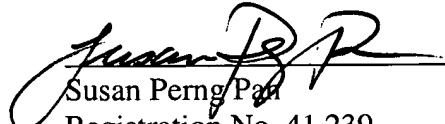
Respectfully submitted,

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